

REMARKS

A. Amendments to the Specification

A paragraph on page 21 has been amended to correct two SEQ ID Nos. This amendment does not introduce new matter and, therefore, entry thereof by the Examiner is respectfully requested.

B. Restriction Requirement

In the Restriction and Election Requirement dated September 2, 2008, the Examiner restricted the claims into four (4) different groups, as detailed at page 2 of the Office Action. In response, Applicants elect, with traverse, Group I, claims 30-41, 49, 50, and 54-58, drawn to methods of introducing an antagonist of a polypeptide having the amino acid sequence shown in SEQ ID NO: 1 or an amino acid sequence at least 65% identical thereto. Applicants traverse the restriction requirement on the grounds that the search and examination of the four different groups of claims is not unduly burdensome to the examiner. In addition, Applicants reserve the right to request rejoinder of the process claims.

C. Species Elections

The Examiner also details the following species election requirements beginning at page 4 of the Office Action. Applicants make these species elections with traverse. Applicants traverse on the grounds that the search and examination of all of the species does not impose an undue burden upon the examiner. Moreover, the M.P.E.P. provides that a reasonable number of species can be searched in one application. Applicant presumes that the species election is made to assist the Examiner in searching the invention, and that the Examiner will follow the procedures delineated in MPEP 809.02(c).

(1) Applicants are required to elect a single cell population between a mitotic stage (claim 31) and a resting stage (claim 32). Office Action at page 4. In response,

Applicants elect “a mitotic stage”, e.g., dividing cells, with traverse. Elected claims 30, 31, 33-41, 49, 50, and 54-58 read on the elected species.

(2) Applicants are required to elect a single species between cancer and autoimmune disease. Office Action at page 4. In response, Applicants elect “cancer”, with traverse. Claims 30-41, 49, 50, and 54-58 read on the elected species.

(3) Applicants are required to elect a single cancer species from those detailed in claims 39 and 40. Office Action at page 4. In response, Applicants elect “pancreatic carcinoma,” with traverse. Claims 30-41, 49, 50, and 54-58 read on the elected species.

(4) Applicants are required to elect one type of inhibitor from the group of siRNAs, antisense molecules, ribozyme, antibody, aptamer, mutein, and polypeptide. Office Action at pages 5-7. In response, Applicants elect siRNA, with traverse. In addition, Applicants are required to elect a single siRNA species from those listed in claim 36. In response, Applicants elect SEQ ID NO:3 (HSGT), with traverse. Applicants traverse the species election requirement for siRNA because based on the guidelines described in Ui-Tei et al., *Nucleic Acids Research*, 32: 936-948 (2004), it is possible to select siRNA against a known gene without further ado. Thus, the two siRNAs claimed in the present application do not constitute separate inventions. Claims 30-41, 49, 50, and 54-58 read on the elected species.

CONCLUSION

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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